

AMENDMENTS TO THE DRAWINGS:

Please replace Figures 6, 7, 8, 9, 10, and 11 with the attached replacement sheets.

The reference numbers in Figures 6, 7, 8, 9, 10 and 11 have been renumbered as requested by the Examiner. No new matter has been added by way of the amendments to the drawings.

The Examiner is respectfully requested to approve the proposed drawing changes.

Attachments:

Replacement sheets;

Annotated sheets.

## REMARKS

Claims 1-8 and 16-23 are pending. Claims 9-15 have been canceled without prejudice. Claims 1-8 have been amended and claims 16-23 have been added.

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Claims 1 and 8 have been amended to recite in part “computer-implemented”. Support for this amendment is found in the specification at, *inter alia*, Paragraph [0002].

Claims 1 and 8 have been amended to recite in part:

selecting a first subset and a second subset from a set of training documents;  
extracting a set of features from the first subset;  
calculating a score threshold for the set of features from the second subset.

Support for this amendment is found in the specification at, *inter alia*, Paragraph [0010].

Claims 1 and 8 have also been amended to recite in part:

providing a plurality of documents to the single node; and  
receiving a filtered subset of the plurality of documents from the outputs of the plurality of sub-filters.

Support for this amendment is found in the specification at, *inter alia*, Figure 5a.

New claims 16 – 23 have been added to round out the scope of protection sought.

Support for these claims may be found in the specification at least at, for example, Paragraphs [0038], [0010], [0042], [0043], and [0067].

## DRAWING OBJECTIONS

The Office Action includes an objection to the drawings for reflecting reference numbers not described in the specification. The specification has been amended in various instances to refer to certain reference numbers, and the drawings have also been amended to adjust or delete certain reference numbers. Withdrawal of the objection is respectfully requested.

## CLAIM OBJECTIONS

Claims 2 and 7 were amended to address the examiner's objections. No new matter has been added.

#### CLAIM REJECTION - 35 U.S.C. § 101

Claims 1 – 15 have been rejected as allegedly being directed to non-statutory subject matter. For example, the Examiner stated, "The invention as recited in the claim just merely creates an ensemble filter. The filter is neither stored nor displayed and therefore it is unclear as to what kind of tangible output is obtained by these limitations." Office Action dated 8-7-06, page 5.

Claim 1 has been amended to recite "[a] computer-implemented process for filtering documents," and the step of "storing said filter for selecting documents in a computer readable medium, said filter for selecting documents being accessible by computer readable program code for filtering and selecting documents." Applicant asserts that claim 1 as amended recites statutory subject matter under 35 U.S.C. § 101. Claim 8 has been similarly amended.

Dependent claims 2-7 have likewise been amended to recite, "a computer-implemented process." Similarly, claims 2-7 as amended recite statutory subject matter under 35 U.S.C. § 101.

Claims 9-15 have been canceled without prejudice. Withdrawal of the rejection is respectfully requested.

#### CLAIM REJECTION - 35 U.S.C. § 102

Claim 8 has been rejected as allegedly anticipated by U.S. Patent Application Publication No. 2003/0130993 to Mendelevitch *et al.* ("Mendelevitch").

Claim 8 as amended recites, among other things, "calculating a score threshold for the set of features from the second subset."

Mendelevitch is generally directed to a document categorization engine. Specifically, Mendelevitch teaches a two stage automatic classification process. In the first stage, a raw score is generated for each incoming document. The incoming documents are then preliminarily classified into topics based on the raw score. In the second stage, the categorization engine generates confidence scores for each document that are compared to the *configurable* threshold for each topic. If the confidence score is greater than the configurable threshold, the document is published into the topic's Published list. A knowledge management expert adjusts the

configurable threshold to control the tradeoff between human oversight and control vs. time and human effort expended. Paragraph [0012]. Because Mendelevitch discloses *manually* setting the configurable threshold, the reference fails to disclose *calculating* a score threshold as explicitly recited in claim 8. Consequently, Mendelevitch fails to disclose every element of claim 8 and therefore claim 8 is readily patentable over Mendelevitch. MPEP § 2131.

#### CLAIM REJECTION - 35 U.S.C. § 103

Claims 1-7 have been rejected as allegedly obvious over U.S. Patent Application Publication No. 2002/0078035 to Frank *et al.* (“Frank”) in view of Mendelevitch.

Claim 1 as amended recites, among other things, “calculating a score threshold for the set of features from the second subset.”

Frank is generally directed to spatially coding and displaying information. Specifically, Frank teaches filters represented by icons on a map (Paragraph [0084]), wherein each filter may be manually selected (Paragraph [0086], adaptively selected based on usage patterns of a user (Paragraph [0087]), or created algorithmically by “a procedure that analyzes the content and hyperlinks of documents in the page repository to create a set of documents sharing a property. . . . The algorithm to construct such a filter might include use of Bayesian learning, statistical analysis, and ontologies of words and phrases,” (Paragraph [0088]). The method of creating a filter described in Frank is directed specifically toward creating *a set of documents sharing a property* – extracting a common feature.

Frank does not teach or suggest “calculating a score threshold” as recited by claim 1. Nor does Frank inherently calculate a score threshold. For a limitation to be inherent in a reference, the missing descriptive matter must *necessarily* be present in the reference. MPEP § 2131.01(III). Frank need not calculate a score threshold to create a set of documents sharing a property. Therefore Frank fails to disclose *calculating* a score threshold as explicitly recited in claim 1. As discussed above, Mendelevitch fails to remedy this deficiency. Consequently, Frank in view of Mendelevitch fails to teach or suggest every element of claim 1 and therefore claim 1 is readily patentable over the cited references. Claims 2-7 are patentable at least by virtue of their dependency from claim 1. MPEP § 2143.03.

#### NEW CLAIMS

Claims 16 – 23 are distinguishable for reasons similar to those set forth above for claims 1 and 8 and are therefore considered patentable over the cited references for at least these reasons.

### CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (202)879-3939, if a telephone call could help resolve any remaining items.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

Date: January 8, 2007

Respectfully submitted,

A handwritten signature in cursive script, reading "Douglas H. Pearson".

Douglas H. Pearson

47,851  
(Reg. No.)

**JONES DAY**

51 Louisiana Avenue, N.W.  
Washington, DC 20001-2113  
(202)879-3939

Appendix A  
Revised Figures (see attached copies)

# Figure 6

ANNOTATED SHEET

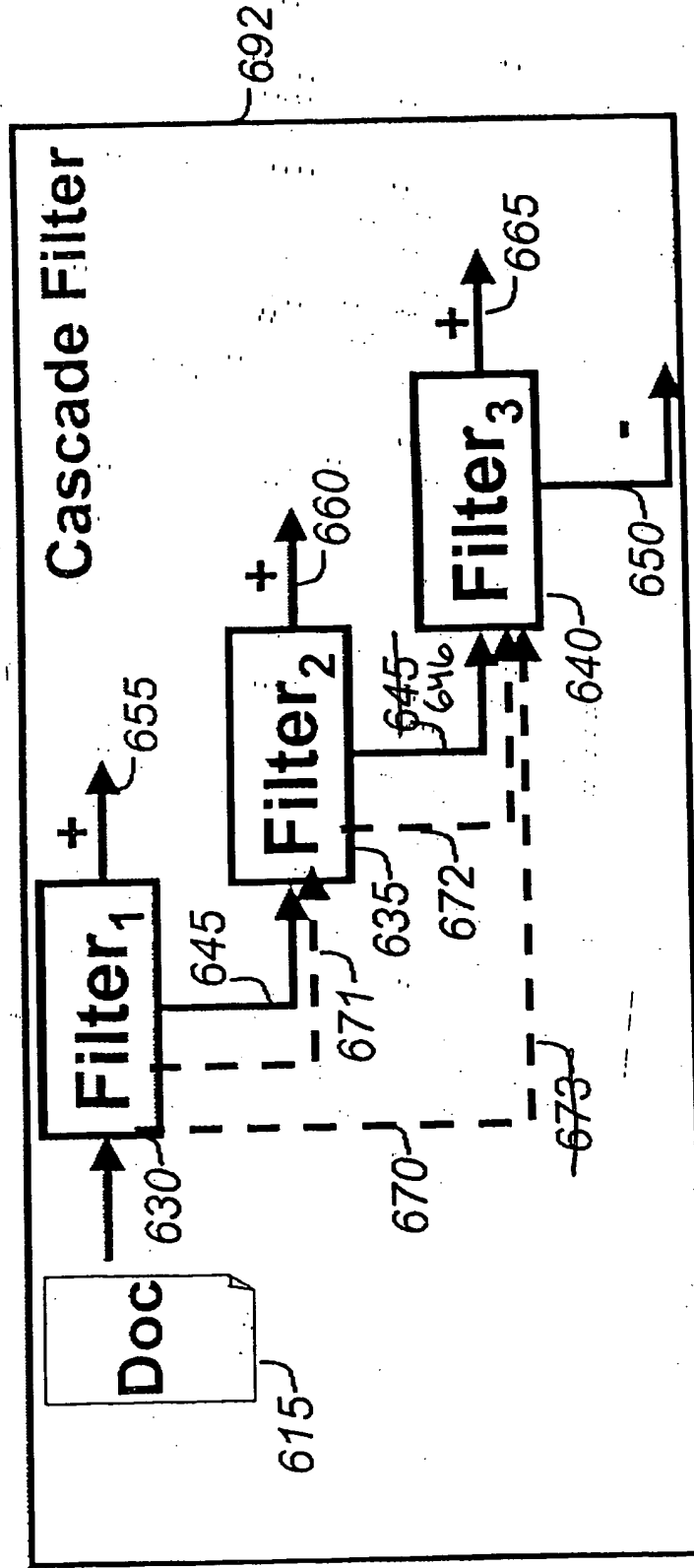


Figure 7

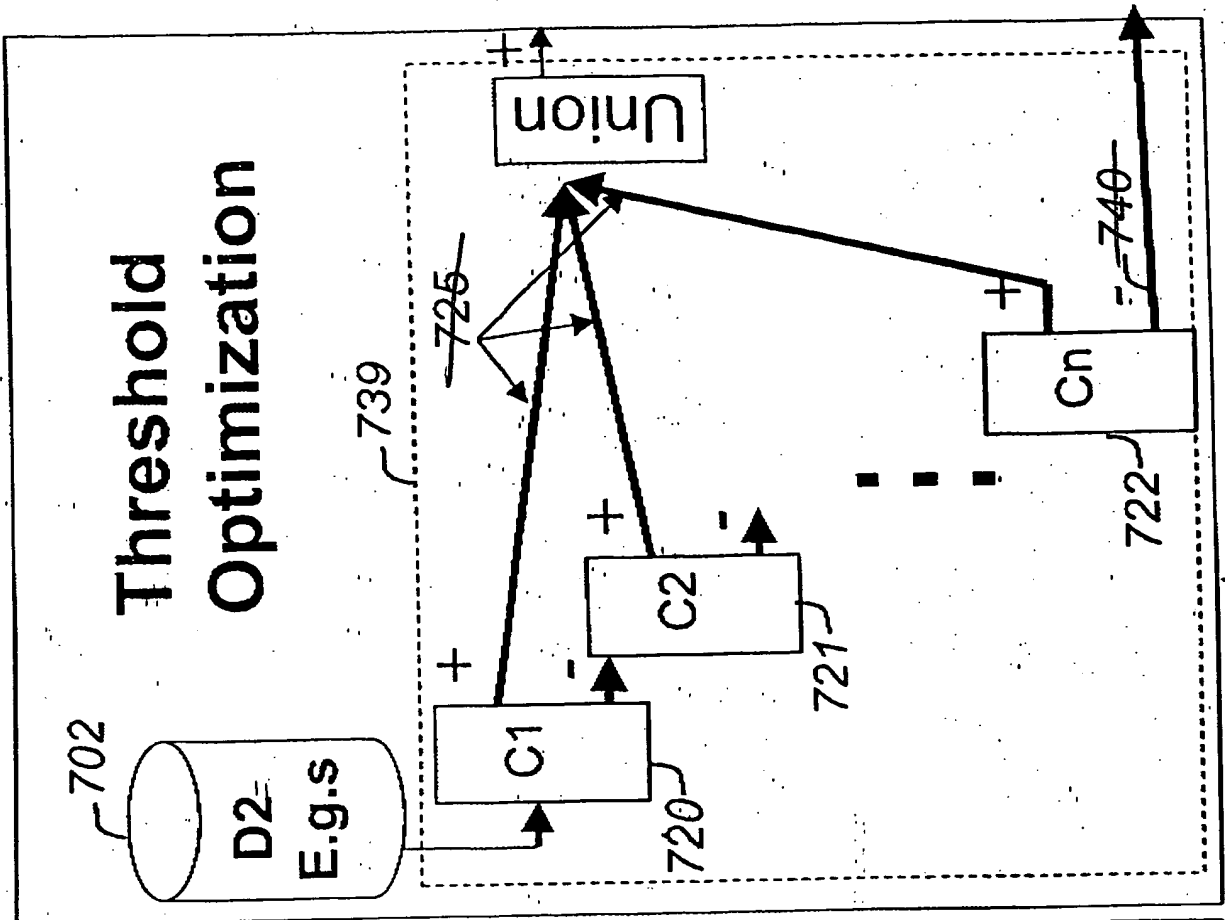
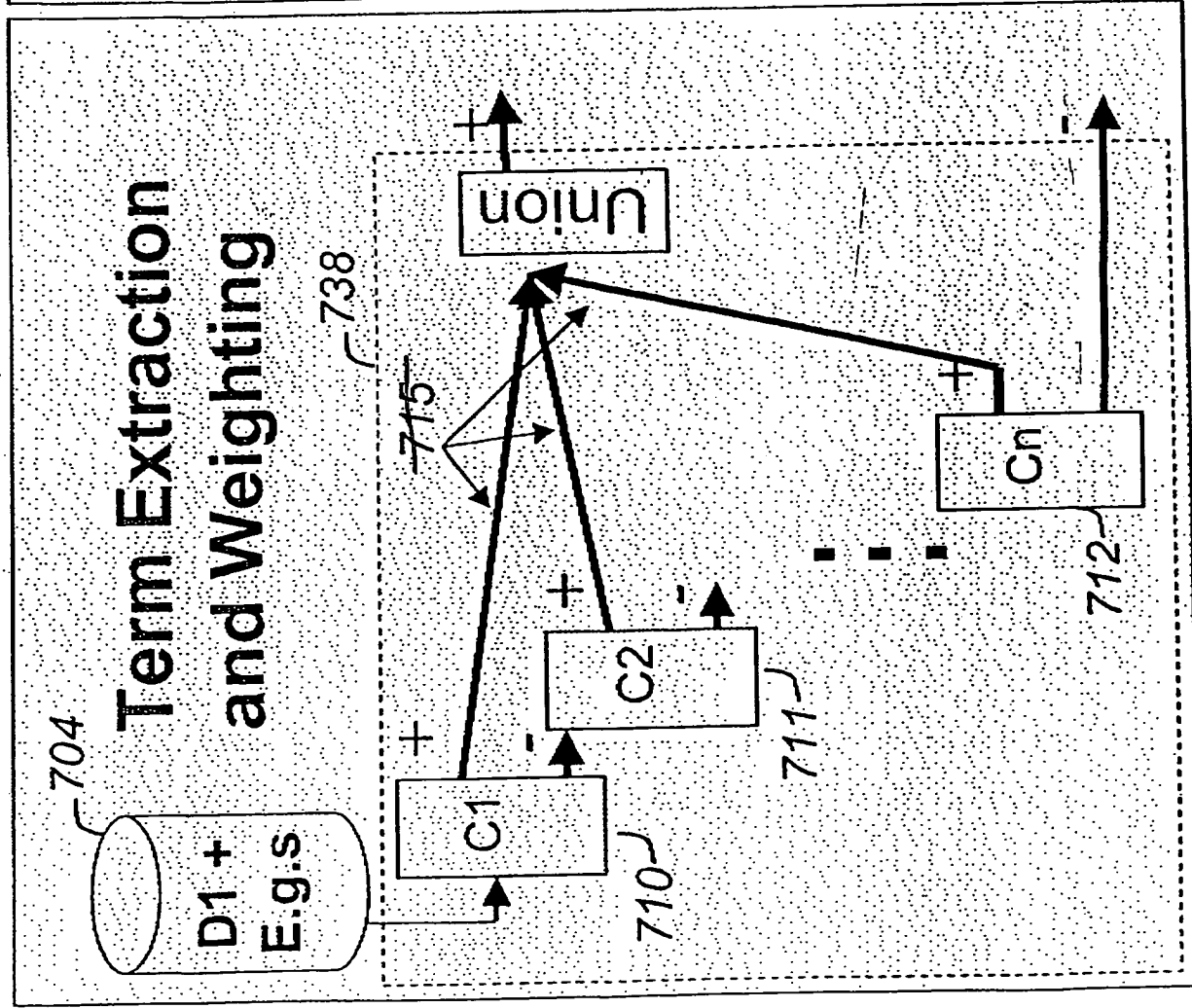
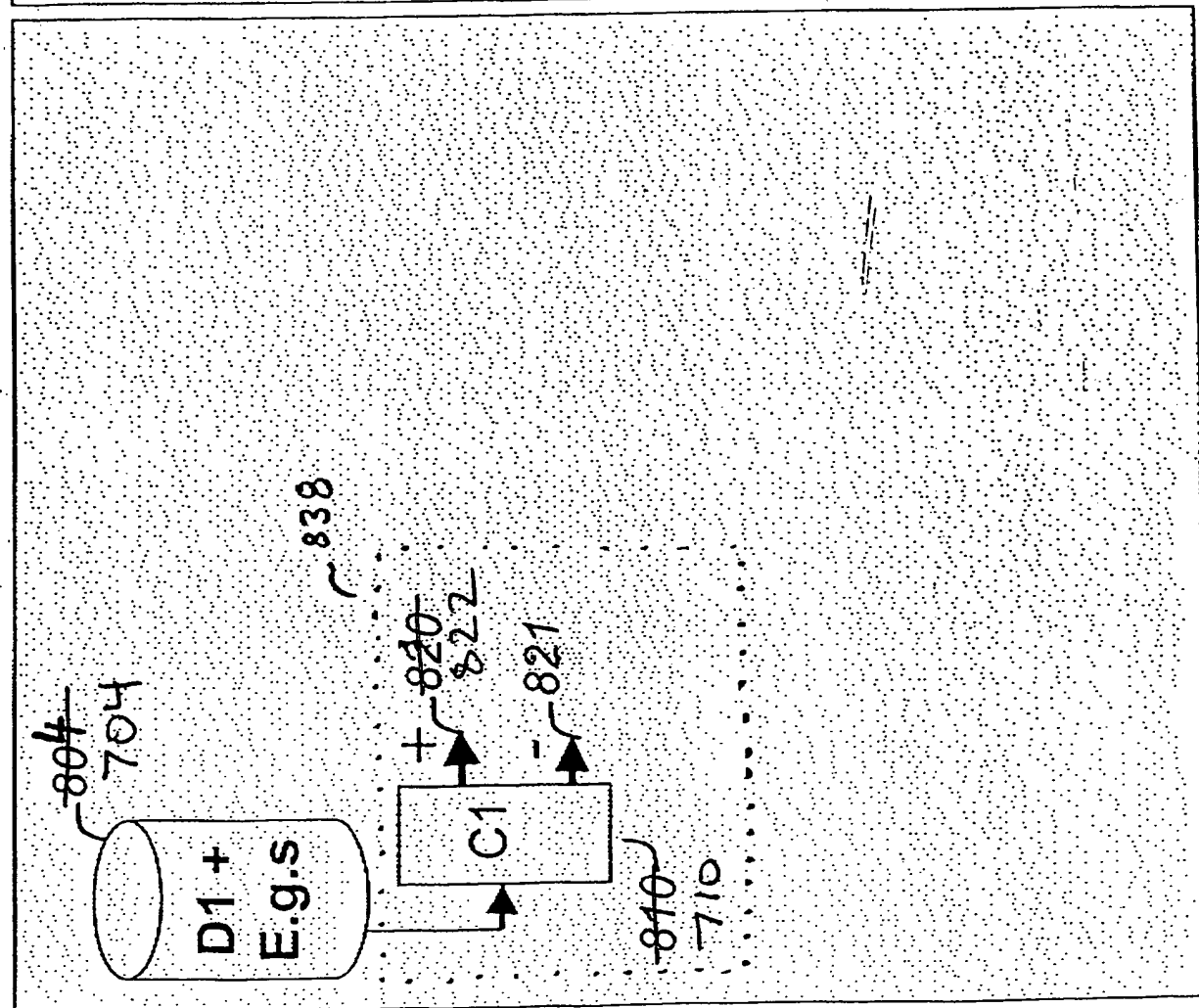
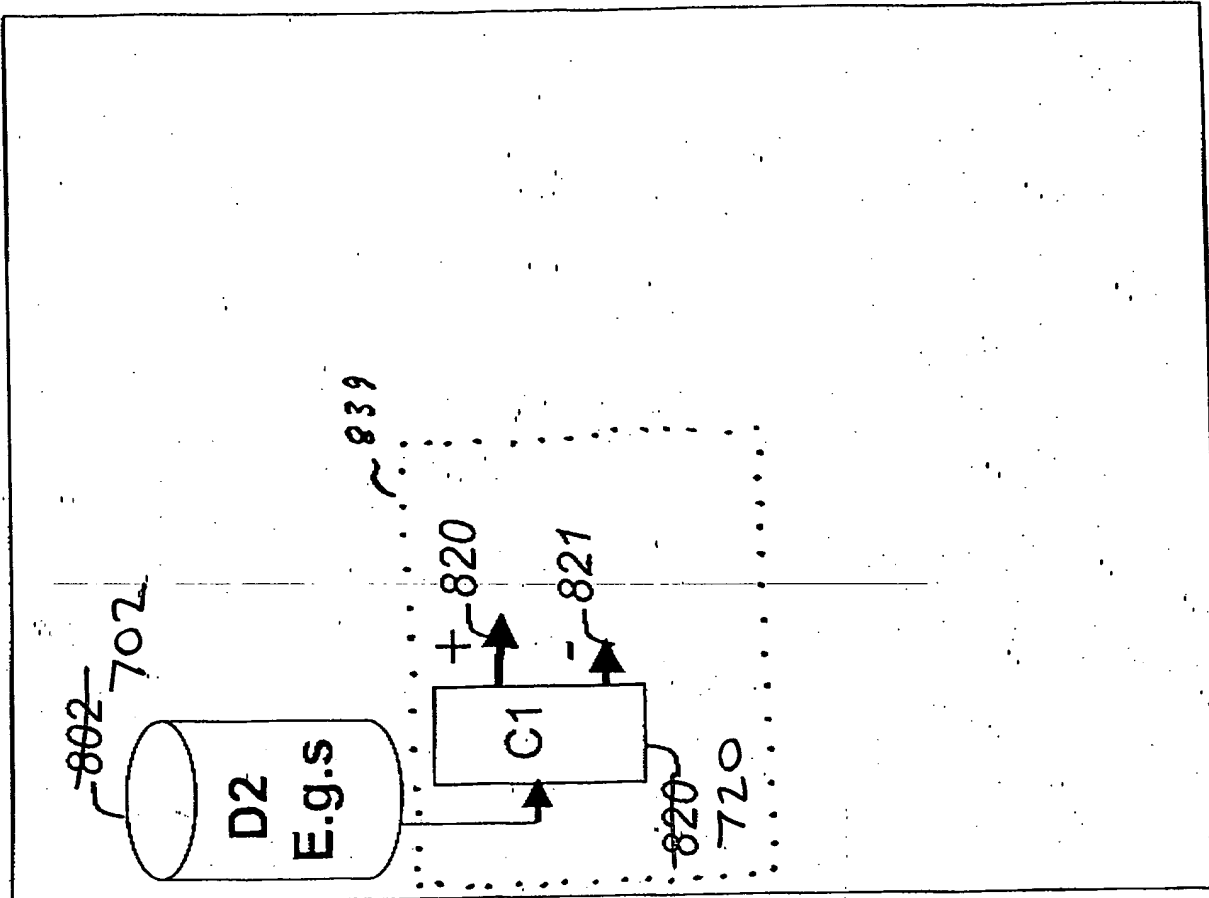




Figure 8

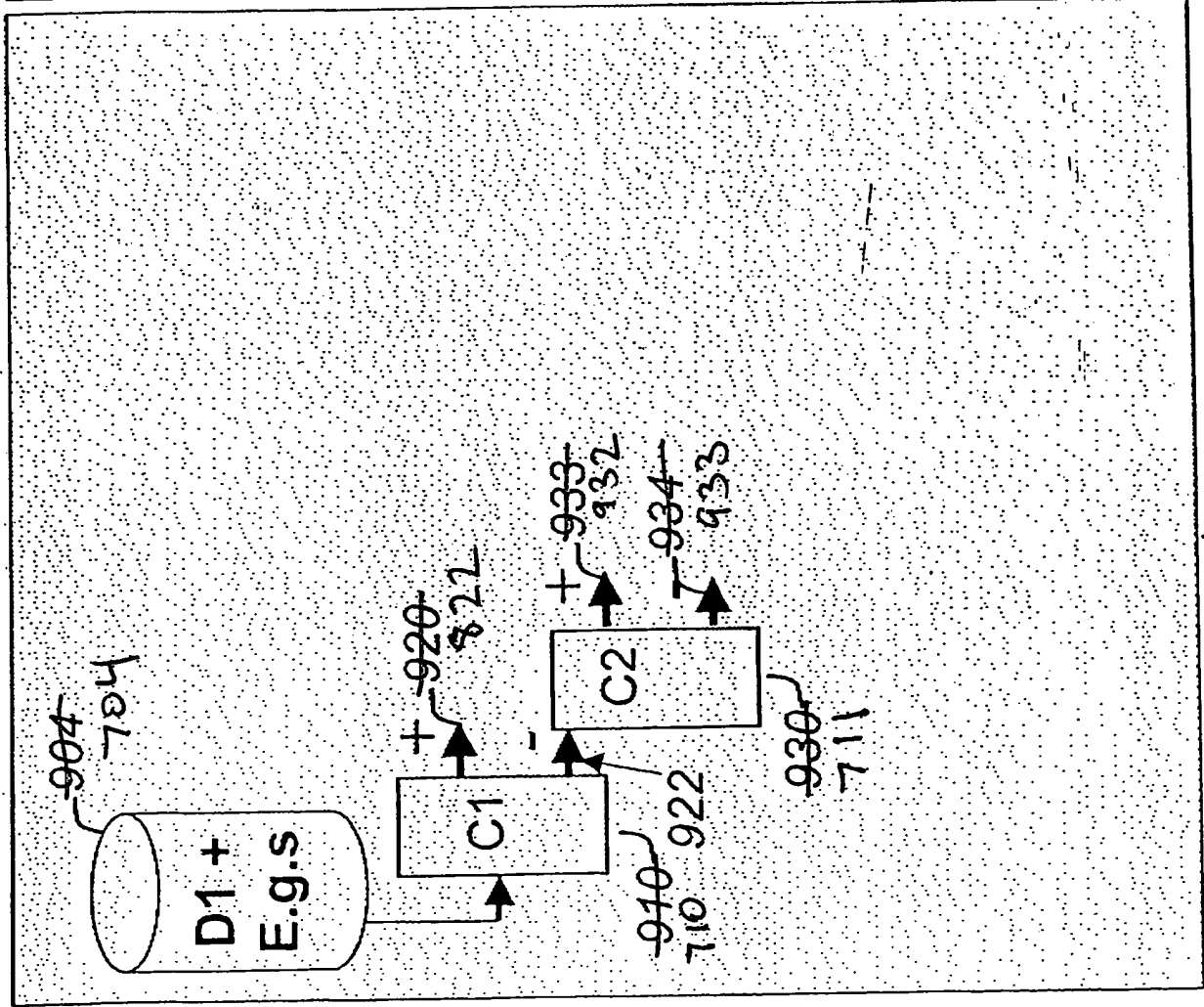


800  
700

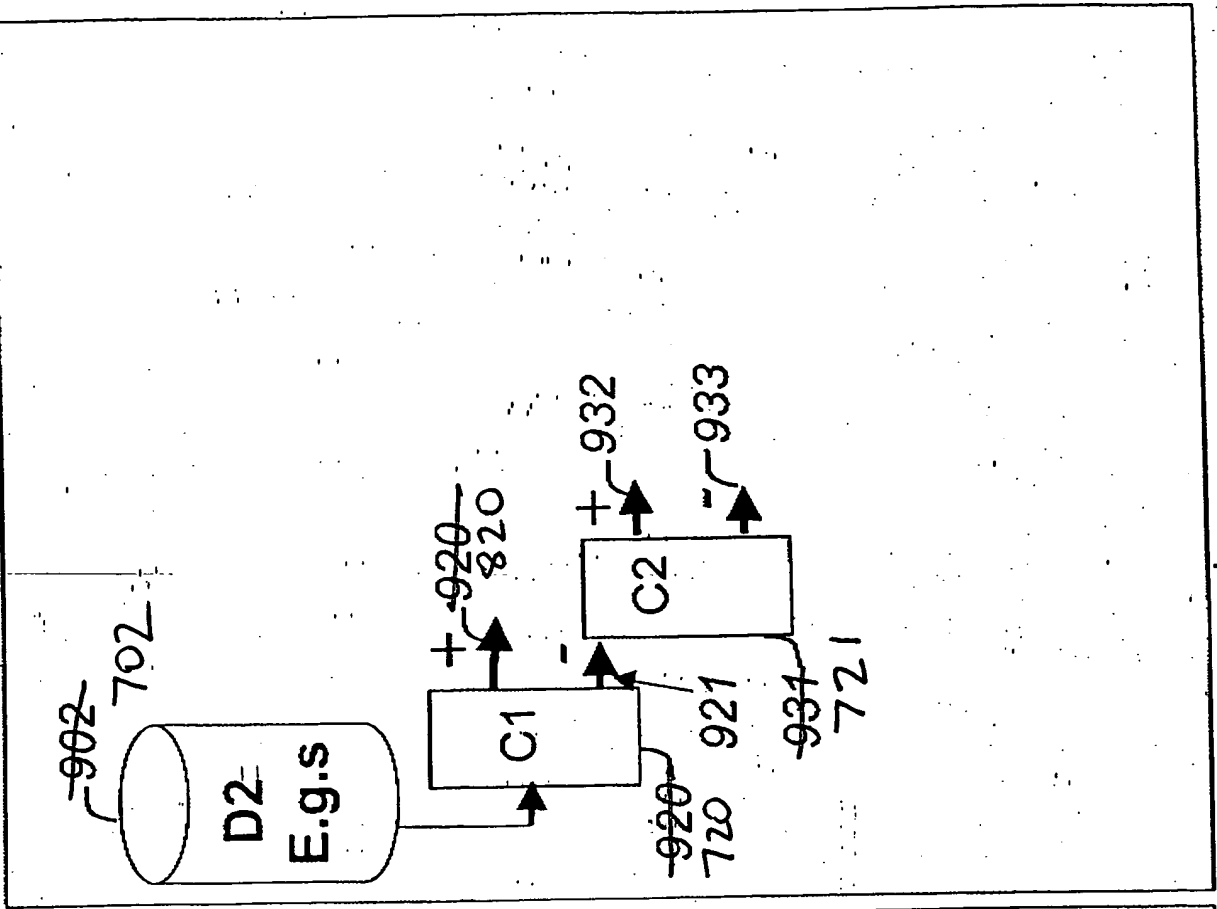


801  
701

Figure 9



900  
700



901  
701

Figure 10

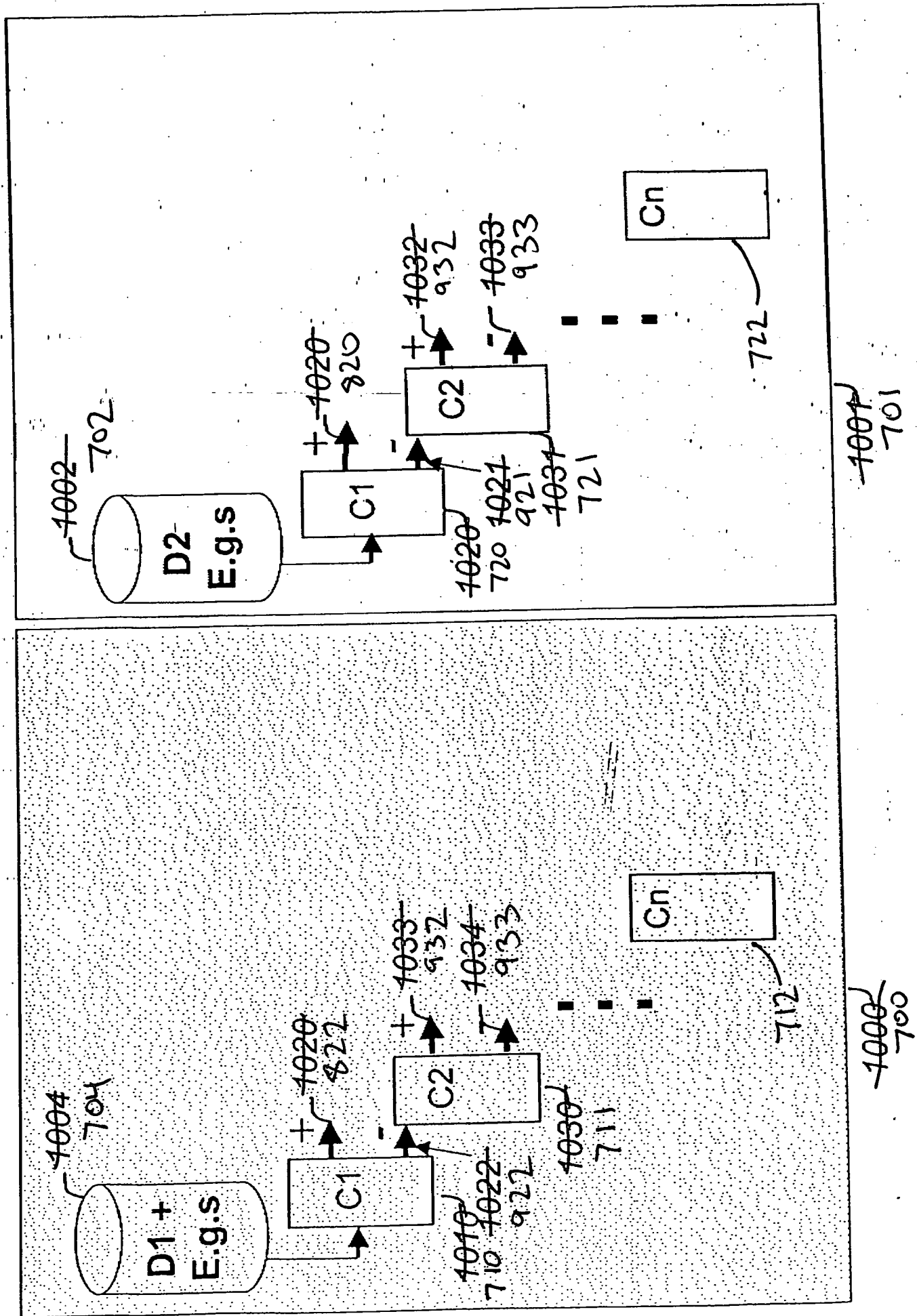


Figure 11

ANNOTATED SHEET

